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Attorneys for Defendants/Third Party Plaintiffs,

Bean Dredging LLC, Bean Excavation, LLC,

and C.F. Bean LLC

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ERIC GROVE,

: Civ. No: 07 CV 8650(JGK)

Plaintiff,

vs.

BEAN DREDGING, LLC, *et al.*

: **ANSWER TO GMD SHIPYARD  
CORP.'S CROSS-CLAIM**

vs.

GMD SHIPYARD CORP., and

BINDER MACHINERY COMPANY, LLC,

Defendants/Third-Party Defendants.

Bean Dredging, LLC, Bean Excavation, LLC, and C.F. Bean, LLC, by their undersigned attorneys, Palmer Biezup & Henderson, LLP, answer the Cross-Claim of GMD Shipyard Corp. as follows:

1. Denied.
2. Denied.
3. Denied.

WHEREFORE, Bean Dredging, LLC, Bean Excavation, LLC, and C.F. Bean, LLC, demand judgment in their favor and against GMD Shipyard Corp., dismissing the Cross-Claim with prejudice, together with costs and such further relief as this Honorable Court deems appropriate under the circumstances.

Respectfully submitted,

PALMER BIEZUP & HENDERSON LLP

Dated: New York, New York  
August 12, 2008

By: /s/ Michael B. McCauley  
Michael B. McCauley (MM 7231)  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIC GROVE, : Civ. No: 07 CV 8650(JGK)  
Plaintiff, :  
vs. :  
BEAN DREDGING, LLC, *et al.* :  
Defendants/Third-Party Plaintiffs, : **AFFIRMATION OF SERVICE**  
vs. :  
GMD SHIPYARD CORP., and :  
BINDER MACHINERY COMPANY, LLC, :  
Third-Party Defendants. :  

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I, Michael B. McCauley, declare under penalty of perjury that I have served a copy of the attached Answer to Cross-Claim of GMD Shipyard Corp. upon the below-listed attorneys on August 12, 2008 via United States First-Class Mail, postage prepaid:

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PALMER BIEZUP & HENDERSON LLP

Dated: New York, New York  
August 12, 2008

By: /s/ Michael B. McCauley  
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